THE HON'BLE SRI JUSTICE G. KRISHNA MOHAN REDDY

CRIMINAL PETITION No.5654 of 2008

ORDER:

This petition is filed to quash the proceedings in Cr.No.73 of 2008 registered for the offence punishable under Section 304-A I.P.C. on the file of the Police Station at Kothavalasa, Vizianagaram District.

It is the contention of the learned counsel for the petitioner that according to the report, some unknown vehicle hit the victim and the concerned police are trying to arrest the petitioner/accused and hence, the proceedings are liable to be quashed.

Admittedly, there is no evidence to the effect that the petitioner/accused has been implicated in the criminal case. Unless such a contingency is there, the question of quashing proceedings against the petitioner does not arise. It is for the concerned police to conduct necessary investigation and come to a conclusion as to whether the petitioner actually involved in the crime or not. The police should conduct the investigation of the case independently.

The point for consideration is whether there are any proceedings, which are to be quashed so as to allow the petition.

There is no document to show that any case is registered against the petitioner in respect of the offence punishable under section 304-A I.P.C. on the file of Kothavalasa Police Station. Therefore, there is nothing to be quashed here. If the concerned police are trying to arrest the petitioner in the case without any basis, he can approach the concerned Sessions Court seeking necessary relief. Therefore, there are no merits in the petition. Ultimately, the petition is liable to be dismissed and it is

accordingly dismissed.

G. KRISHNA MOHAN REDDY,J

Dt. 07.04.2011
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